

IC 3-11.7-2

Chapter 2. Casting a Provisional Ballot

Effective 1-1-2003.

IC 3-11.7-2-1

Individuals who may cast a provisional ballot

Effective 1-1-2003.

Sec. 1. An individual:

- (1) whose name does not appear on the registration list; and
- (2) who is not permitted to vote under IC 3-7-48-1, IC 3-7-48-5, IC 3-7-48-7, IC 3-10-10, IC 3-10-11-2, or IC 3-10-12;

may cast a provisional ballot if the individual executes an affidavit described in IC 3-11-8-23.

As added by P.L.126-2002, SEC.87.

IC 3-11.7-2-2

Casting provisional ballot; procedure

Effective 1-1-2003.

Sec. 2. (a) A provisional voter shall do the following:

- (1) Mark the ballot in the presence of no other person, unless the voter requests help in marking a ballot under IC 3-11-9.
- (2) Fold each ballot separately.
- (3) Fold each ballot so as to conceal the marking.
- (4) Enclose each ballot, with the seal and signature of the circuit court clerk on the outside, together with any unused ballot, in the envelope provided by the county election board under IC 3-11.7-1-8.
- (5) Securely seal the envelope.

(b) A provisional voter may mark a ballot with a pen or a lead pencil.

As added by P.L.126-2002, SEC.87.

IC 3-11.7-2-3

Affixing affidavits to provisional ballot envelope; handling of provisional ballot envelopes

Effective 1-1-2003.

Sec. 3. (a) The precinct election board shall affix to the envelope the challenger's affidavit and the affidavit executed by the provisional voter under section 1 of this chapter.

(b) The precinct election board shall securely keep the sealed envelope, along with the affidavits affixed to the envelope, in another envelope or container marked "Provisional Ballots".

As added by P.L.126-2002, SEC.87.

IC 3-11.7-2-4

Handling provisional ballots at close of the polls

Effective 1-1-2003.

Sec. 4. At the close of the polls, the precinct election board shall seal:

- (1) all the provisional ballots; and

(2) any spoiled provisional ballots;
in the container described in section 3(b) of this chapter and mark on
the container the number of provisional ballots contained. The
inspector shall return the container with all the provisional ballots to
the circuit court clerk after the close of the polls.

As added by P.L.126-2002, SEC.87.